

**MINUTES FOR THE COURT OF APPEAL
STATE OF CALIFORNIA
SECOND APPELLATE DISTRICT**

June 29, 2010

DIVISION ONE

B215764 Zamora (Certified for Publication)
v.
Lehman, et al.

The order and judgment are reversed as to defendants Stephen C. Lehman and Eric R. Weiss, and on remand the trial court shall restore this case to the civil active list as to them. The order and judgment are affirmed as to defendant Daniel M. Yukelson. Plaintiff Nancy Hoffmeier Zamora is entitled to costs on appeal from defendants Stephen C. Lehman and Eric R. Weiss. Defendant Daniel M. Yukelson is entitled to costs on appeal from plaintiff Nancy Hoffmeier Zamora. Defendants Stephen C. Lehman and Eric R. Weiss are to bear their own costs on appeal.

Mallano, P.J.

We concur: Rothschild, J.
 Johnson, J.

B219432 Alexander (Not for Publication)
v.
Biola University

The judgment is affirmed. Respondent(s) to recover costs.

Rothschild, J.

We concur: Mallano, P.J.
 Johnson, J.

June 29, 2010 (Continued)

DIVISION ONE (continued)

B215554 People v. Smith (Not for Publication)

The judgment is affirmed.

Mallano, P.J.

We concur: Rothschild, J.
 Johnson, J.

B221306 People (Not for Publication)
v.
Lento

The judgment is affirmed.

Mallano, P.J.

We concur: Rothschild, J.
 Johnson, J.

B213327 People (Not for Publication)
v.
Avila

The \$20 DNA penalty assessment is stricken. The clerk of the superior court shall prepare an amended abstract of judgment reflecting this change in appellant's sentence. In all other respects the judgment is affirmed.

Chaney.J.

We concur: Mallano, P.J.
 Johnson, J.

DIVISION ONE (continued)

[illegible]

The cause is remanded for the juvenile court to make an express finding on the record concerning whether Appellant's offense is a misdemeanor or a felony. In all other respects, the judgment is affirmed.

Chaney, J.

We concur: Mallano, P.J.
 Rothschild, J.

B223704 Richard M. (Not for Publication)
v.
Superior Court, Los Angeles County
(L.A. County Department of Children and Family Services)

The petition for an extraordinary writ is denied.

Chaney, J.

We concur: Mallano, P.J.
 Rothschild, J.

B217535 Wilson (Not for Publication)
v.
Bomani

The judgment is affirmed.

Chaney, J.

We concur: Mallano, P.J.
 Johnson, J.

DIVISION ONE (continued)

B217536 Greene (Not for Publication)
v.
Cermak, et al.

The order of dismissal is affirmed. Respondents are to recover their costs on appeal.

Chaney, J.

We concur: Rothschild, Acting P.J.
 Johnson, J.

B213413 People (Not for Publication)
v.
Rodriguez

The enhancement imposed on count 2 under Penal Code section 12022.5, subdivisions (a) and (d), is reversed and stricken. The award of presentence custody credits is modified to reflect that Rodriguez's custody credits are 1,314 days. In all other respects, the judgment is affirmed. The clerk of the superior court is directed to prepare an amended abstract of judgment and to forward it to the Department of Corrections and Rehabilitation.

Chaney, J.

We concur: Mallano, P.J.
 Rothschild, J.

DIVISION THREE

B213854 People (Not for Publication)
v.
Lonnell Deshawn Nettles

The judgment is affirmed, except that appellant's sentence is vacated and the matter is remanded to the trial court for resentencing consistent with this opinion. The trial court is directed to forward an amended abstract of judgment to the Department of Corrections.

Kitching, J.

We concur: Klein, P.J.
Aldrich, J.

B220206 In re Ronnie Barela (Not for Publication)
on
Habeas Corpus

The order of the superior court dated September 30, 2009, which granted Barela's petition for writ of habeas corpus, reinstated the Board's 2006 decision granting Barela parole, vacated the Governor's February 8, 2007 reversal of the Board's decision and ordered Barela released from prison in accordance with the parole date calculated by the Board is affirmed. The stay of the superior court's order is lifted. In the interests of justice, this opinion shall be final as to this court immediately upon filing. (Cal. Rules of Court, rule 8.490(b)(3).)

Klein, P.J.

We concur: Kitching, J.
 Aldrich, J.

B223063 Los Angeles County, D.C.F.S.
v.
E.O., et al.

Filed order denying petition for rehearing.

DIVISION FOUR

B216912 People (Not for Publication)
v.
Kaycha P.

The judgment is affirmed.

Suzukawa, J.

We concur: Epstein, P.J.
Manella, J.

B220776 People (Not for Publication)
v.
Bomar

The judgment is affirmed.

Epstein, P.J.

We concur: Willhite, J.
Suzukawa, J.

B213477 People (Not for Publication)
v.
Paz

The judgment is affirmed.

Manella, J.

We concur: Willhite, Acting P.J.
Suzukawa, J.

June 29, 2010 (Continued)

DIVISION FOUR (continued)

B216961 People (Not for Publication)
v.
Antonio B.

The judgment is reversed.

Epstein, P.J.

We concur: Willhite, J.
Suzukawa, J.

DIVISION FIVE

B215471 Los Angeles County, D.C.F.S. (Certified for Partial Publication)
v.
F.G.
In re G.G. et al., Persons Coming Under the Juvenile Court Law

The order under review is affirmed.

Turner, P.J.

I concur: Kriegler, J.
I concur and dissent: Armstrong, J. (Opinion)

DIVISION SEVEN

B213759 Chang Ho Yoo, et al. (Certified for Publication)
v.
Sandra Shewry, Director of the State Department of Health Care Services

The order granting the petition for writ of mandate is reversed. The parties are to bear their own costs of appeal.

Jackson, J.

We concur: Perluss, P.J.
Woods, J.

DIVISION EIGHT

B217867 People (Not for Publication)
v.
Jose David Fortanel

The \$400 fine assessed pursuant to Penal code section 1203.907 is stricken. The trial court shall forward copies to the Department of Corrections and Rehabilitation. As modified, the judgment is affirmed.

Bigelow, P.J.

We concur: Flier, J.
Grimes, J.

B210280 Tong
v.
Rone

(Not for Publication)

Because we find no error in the jury's verdict on the claim for violation of section 2943 or in the trial court's findings and determination for declaratory relief (except for the form of the judgment), the judgment is reversed and remanded for the limited purpose of permitting the trial court to separately and independently set forth (1) the damages award to Tong against USCB on the section 2943 claim: and (2) the amounts due and payable under the note and deed of trust. The parties are to bear their own costs on appeal.

Flier, J.

We concur: Bigelow, P.J.
Rubin, J.

DIVISION EIGHT (continued)

B222560 American Diversified Properties, Inc.
 v.
 Realty Executive, Inc.

B224829 American Diversified Properties, Inc.
 v.
 Realty Executive, Inc.

Filed order consolidating above captioned appeals.